

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 12608 of Robert J. Flynn pursuant to Paragraph 8207.11 of the Zoning Regulations for variances from the rear yard (Sub-section 3304.1) and side yard (Sub-section 3305.1) requirements to permit an addition to a dwelling in the R-1-B District at the premises 3405 Carpenter Street, S.E. (Square 5537, Lot 28).

HEARING DATE: March 22, 1978
DECISION DATE: April 5, 1978

FINDINGS OF FACT:

1. The subject property is located in an R-1-B Zone District on the south side of Carpenter Street, opposite 34th Street, S.E.
2. The subject property is presently improved with a two story and basement detached structure with an open swimming pool which occupies parts of the rear and and side yard.
3. The applicant proposes to erect an addition to enclose the existing swimming pool.
4. The R-1-B District requires a minimum rear yard of twenty-five feet. With the proposed addition, the applicant will provide only six feet at the rear. Thus a variance of nineteen feet or seventy-six percent is required.
5. The R-1-B District requires that side yards be provided with a minimum width of eight feet. The applicant has provided only six feet on each side. Thus a variance of two feet or twenty-five per cent is required for each side yard.
6. The area occupied by the pool is almost as large as the area occupied by the house.

7. The applicant presented a letter from his doctor stating that "it is necessary for him (Mr. Flynn) to lose weight and to begin and maintain an exercise program as soon as possible."

8. There is no evidence in the record that suggests there is anything exceptional extraordinary or unique in regard to this property.

9. There was no Advisory Neighborhood Commission report on this application.

10. There was no opposition to this application.


CONCLUSIONS OF LAW AND OPINION:

Based on the above Findings and the evidence of record, the Board is of the opinion that the requested variances are area variances the granting of which requires the showing of a practical difficulty related to the property itself. The Board concludes that the hardship presented by the applicant is a personal hardship not related to the property and therefore he has failed to make the required showing. The Board concludes that there is nothing to distinguish this property from others in the area to enable it to qualify for a variance. The Board further concludes that the extent of the variances requested would impair the intent, purpose and integrity of the zone plan. It is therefore ORDERED that this application is hereby DENIED.

VOTE: 5-0 (Leonard L. McCants, William F. McIntosh, Charles R. Norris, Chloethiel Woodard Smith and Walter B. Lewis)

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY: _____


STEVEN .E. SHER
Executive Director

FINAL DATE OF ORDER: _____

26 APR 1978